

The State Journal.

PUBLISHED BY KNAPP & JEWETT, EVERY TUESDAY MORNING, NEARLY OPPOSITE THE BANK, AT \$2 A YEAR, OR \$1.50 IN ADVANCE.

VOL. V. NO. 35.

MONTPELIER, (VT.) JUNE 21, 1836.

WHOLE NO. 243.

THE STATE JOURNAL.



Liberty Meeting.

A respectable number of citizens assembled, according to notice, at the Court House in Montpelier, June 14, 1836, for the purpose of expressing their sentiments on the "Incendiary Publication Bill," so called, recently passed to be engrossed in the Senate of the United States by the casting vote of the Vice President.

The meeting was called to order by Col. J. P. MILLER, and on motion, Doct. ORREN SMITH, of Berlin, being present, was called to the Chair, and C. L. KNAPP appointed Secretary.

The "Incendiary Publication Bill" as it passed to be engrossed, being called for, was produced and read. [The bill was published in our last paper.]

The following gentlemen were appointed to report resolutions for the consideration of the meeting:

C. L. Knapp, E. P. Walton, J. P. Miller, Wm. Upham, S. B. Prentiss, Cyrus Ware, Zenas Wood, Elijah Witherell.

After a short recess, the committee made report, and the following resolutions, after full consideration were adopted by the meeting.

1. Resolved, That it is the natural and inherent right of the people to think and to speak, print and circulate their thoughts and opinions freely and without restraint, upon all subjects of individual, social and national concernment.

2. Resolved, That so vitally important has this right been considered by our countrymen, that it has been specifically asserted and confirmed by the national and all the state constitutions; and all power to lessen or abridge it has been expressly denied alike to the national and state legislatures.

3. Resolved, That we deem this right among the most sacred which freemen and republicans can enjoy, and the very last which they should surrender.

4. Resolved, That any attempt on the part of the government to lessen, abridge or impair this right should be promptly, sternly and indignantly rebuked by the people.

5. Resolved, That the Bill, called the "Incendiary Publication Bill," recently passed to be engrossed in the Senate of the United States by the casting vote of the Vice President, is a direct and daring infringement of this right, and is, in the judgment of this meeting, more odious in its principles, and if enacted into a law would be more dangerous in its consequences to the liberties of the people than was the Sedition Law, enacted during the presidency of the elder Adams.

Hon. Cyrus Ware, Gen. Walton, William Upham, Esq., Col. Miller, S. B. Prentiss, Esq., F. F. Merrill and C. L. Knapp severally addressed the meeting.

On motion,

Resolved, That the proceedings of this meeting be published.

Adjourned without day.

O. SMITH, Chairman.

C. L. KNAPP, Secretary.

From the Boston Atlas. MR SENATOR DAVIS ON THE POST-OFFICE INQUISITION BILL.

Mr Van Buren's vote on the Incendiary Publication Bill excites general indignation and disgust. There is none of his Northern presses that dares to justify or excuse it. Some of them pass it over in utter silence. Others remark upon it with a faint, feeble and reluctant condemnation. All feel that he has betrayed the constitutional rights of the North. Even the sticklers for "availability" confess that their faith is shaken. They fear that the sceptre has departed.

We give below the views of Mr Senator Davis on this Bill. We ask for them an attentive perusal and consideration. We call upon every man who reads them, to decide for himself how far a Northern Senator voting for this bill is entitled to the trust of his constituents. A more just obnoxious Law could not have been framed. And yet Mr Van Buren's two Regency Senators, Messrs. Wright and Tallmadge voted for this Bill, and it was ordered to a third reading by the casting vote of Mr Van Buren. The merits of the Bill were thus considered by Mr Davis:

The question raised by this bill is this: shall we further regulate the Post Office, by requiring the Post Masters to investigate the contents of the Mail?

The bill makes it penal to receive or deliver any papers, the circulation of which are forbidden. Now, sir, how can the receiving or delivering postmaster know what he receives or delivers, without examination? If he fails to examine them, the whole purpose of the law is defeated. If he examines them, the contents of the mail are exposed. The bill embraces all letters, as well as printed matter; for, after enumerating newspapers, pamphlets, handbills, pictures, &c., it says, or any other paper.

The mail is necessarily submitted to the inspection of the postmasters, with a power to reject or withhold so much of the contents as have anything in them touching the subject of slavery, if it is prohibited circulation. We are told that all incendiary publications are prohibited; but what are incendiary? Yes, what are incendiary? I will read to the Senate, from a document before me, that they may be the better able to judge what is and will be inhibited as incendiary. A short time past, a citizen of New York, residing in that State, and editing a newspaper called the Emancipator, was indicted in Alabama; and as he was not resident in that State, the Governor demanded him of the Governor of New York as a fugitive from justice, (though he had not been within the limits of Alabama,) that he might be tried upon the indictment. A copy of this bill was exhibited to the Governor of New York, as the foundation of the right of claim, and thus became public. The Governor of New York denied that a person who had not been in Alabama could be a fugitive from that State, and so he was not surrendered.

Now I beg the Senate to be attentive to the offence set forth in this indictment. It consists in matter extracted from the Emancipator, and is as follows: "God commands and all nature cries out that man should not be held as property. The system of making men property has plunged 2,250,000 of our fellow countrymen, into the deepest physical and moral degradation, and they are every moment sinking deeper." Of all the matter published in this incendiary periodical, as it is styled, this has been selected as the most criminal, as designed, as the indictment alleges, "to produce conspiracy, insurrection and rebellion among the slave population of said State, in violation of the Act of the General Assembly in such case made and provided." Such is the law of Alabama, and such the language which it makes criminal, and sends the publisher, on conviction, I suppose, to the penitentiary. With the policy of such a law I have nothing to do on this occasion, for I adduce this indictment as a leading example to show what is by law made incendiary. Whatever may be the views entertained in the States where slavery is lawful, I cannot forbear remarking that this language will be read with surprise in this connexion out of them. It will be esteemed a more expression of opinion, a mere truism, by nine-tenths of the people, & they will find it difficult to understand how, in a land where the freedom of speech and the press are secured by the Constitution, it can be in law criminal.

If, sir, such declarations are to be denied the privilege of the mail, the Constitution of Massachusetts would be excluded as libellous, because it declares all men are born free and equal. This sentiment is manifestly as much at war with slavery as that contained in the indictment. The speeches made here in the halls of legislation could not pass through the mail. The debates themselves would be suppressed; the speeches delivered here by the Senator from Carolina himself, if the matter he has read to us from papers is carried into them, could not be distributed in Alabama through the post office; and for ought I see, in following out the same doctrine, an essay on education sustaining its general importance would be deemed incendiary, because it is a portion of the public policy not to educate slaves. And why should not a discussion of free and liberal principles, asserting the right of mankind to govern themselves, follow the same fate? I need not multiply instances to show where this power leads to. Incendiary matter is any thing unfavorable to slavery.

The general principle urged by the Senator from Carolina is, that where the States have power to legislate, the United States are bound to carry into execution their laws.

They have power to prohibit the circulation of incendiary matter, and therefore Congress ought to aid that power. It is clear, however, that, in doing so, we ought not thereby to surrender or impair the power vested in us by the constitution. Without this qualification, where will the doctrine lead to?

Suppose a state, in a highly excited state of the public mind, should pass a law prohibiting the circulation of all political matter not in accordance with the opinions of a majority; or of bank notes, or checks, or drafts through the mail in payment of debts, as has lately been menaced; or of speculations in philosophy or religion; can this Government, consistent with the fundamental principles of the Constitution, lend its aid to countenance such measures? Are they not clearly in restraint of public liberty, and hostile to free Government? And yet, if whatever touches the subject of slavery is to be shut out from the mail on the principles upon which this bill rests, how are we to shut these consequences? One State makes a law which stigmatizes as libellous, and therefore criminal, whatever touches or affects slavery, any mere opinions, as in Alabama. Another condemns religious sentiments as heretical, and another stamps with reprobation all political discussion, except when it is agreeable to the views of its own majority. Each demands the aid of Congress to enforce its laws, because they have, under the several Constitutions, a right to make such laws. If you admit the claim of one, on what principle will you resist the others?

Such sir, is the general character of this bill, and such its obvious tendencies. If no further objections could be found, are we prepared to countenance doctrines pregnant with such injurious consequences? For myself, I would have no hesitation in saying to the Southern States, you must first satisfy me that you have no other remedy for the evils of which you complain, before I would establish a precedent tending strongly to invade the great principles of public liberty.

But, sir, beyond this there are insurmountable difficulties. How, and by whom is this law to be executed? Who is to determine, and in what manner, whether the Constitution of Massachusetts, which declares that all men are born free and equal, or the Declaration of Independence, which declares that "all men are created equal and are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness," touch the subject of slavery, or are incendiary? Who is to decide whether the People shall see the debates in Congress, and know what their agents are doing and saying here? These are momentous considerations, for whoever holds this power, may shut up the great channels of intercommunication—may obstruct the avenues through which intelligence is communicated. I say close and obstruct them, because the Post Office power is a monopoly in the hands of this Government. It claims the exclusive right to transmit the mail, and denies to individuals the right to send letters by private conveyance under severe penalties. It may also, if it chooses, claim the exclusive right to transmit printed papers. It is obvious, therefore, that this right of decision is one of great moment; and it is vested in each and every deputy Postmaster, and any clerk he may see fit to employ. These persons are required to sit in judgment upon matters that would perplex the greatest judicial talent in the country. What is incendiary? What touches the subject of slavery, these are the questions. Every one is aware that few matters are carried into the Courts of law so difficult to determine as what are libellous, or what seditious; and yet, if I wish to send a letter, a paper, yes, sir, the DECLARATION OF INDEPENDENCE itself, through the Post Office, it must first be scrutinized by a clerk, to ascertain whether it violates the laws of Alabama, Carolina, or some other State; and if, in his opinion, the subject of slavery is touched, so as to offend one of these sleeping laws, I am denied the privilege of the mail.

Ordinarily, when our rights of property or privilege are assailed, we are entitled to be heard, and to have the matter settled by a court and jury. But here, a mere boy shuts us out of a most important privilege by a solitary judgment made according to his own whim, caprice, or want of understanding; and, besides, it is not difficult to imagine that in corrupt, prejudiced, or perverse minds, this power may be exercised both wickedly and oppressively. That it will be done partially is almost certain; that it will be done unequally, and by different rules, is inevitable from the nature of man; for there are eight or nine thousand post offices. How easy it will be to subject one newspaper to the severest scrutiny, and to suffer another to pass with a casual examination. The post masters and their clerks will thus become JUDICIAL OFFICERS, SETTLING GREAT QUESTIONS AND DETERMINING GREAT RIGHTS, BY AN INQUISITORIAL POWER, AS ODD AND OFFENSIVE AS THAT OF THE HOLY BROTHERHOOD—THE INQUISITION OF SPAIN. This is not all. The labor will be immense, demanding great additional force, and causing great delays in the transmission of the mail. Who can estimate the labor and time necessary to analyze the mails at the Post Office in New York?

The right of scrutiny into the contents of the mail, and of inhibition, cannot fail to excite distrust, and to impair, if it does not entirely destroy, the usefulness of the Post Office? IT WILL SO CERTAINLY BE THE GRAVE OF LETTERS AND PAPERS, THAT THE PUBLIC WILL NOT USE IT.

From the Gettysburgh (Penn.) Star.

IMPORTANT REPORT.

We hasten to lay before our readers the following Report of the "Committee on the Judiciary System" on the subject of Abolition Societies and Incendiary Publications. Mr STEVENS, it will be recollected, is Chairman of the Judiciary Committee. A correspondent of the Philadelphia Inquirer justly remarks that the Report is "brief, but lucid, explicit and to the purpose;" and "expresses the sentiments of the great mass of the People of Pennsylvania, without distinction of party, in relation to Slavery and the Slave Question." We ask for the Report an attentive perusal.

THE SLAVE QUESTION.

The Committee on the Judiciary System to whom was referred the message of the Governor, transmitting resolutions of the legislatures of the States of Virginia, Kentucky and Mississippi, on the subject of abolition societies and incendiary publications, make Report:

That the Resolutions of the Legislature of Virginia, (with which those of the other states named accord) assert:

1st. "That this commonwealth [Virginia] only has the right to control or interfere with the subject of domestic Slavery within its own limits; and that this right will be maintained at all hazards."

The committee readily grant that none of the other states or congress has any right by legislation to interfere with or control domestic slavery within the slaveholding States. This is prohibited by the Constitution of the United States. Nor are they aware that any of the States, or citizens thereof, or Congress, claim such right. But the committee cannot concede that individual freemen are, or can be prohibited from discussing the question of slavery in all its bearings upon the morality, religion, or happiness of a people, and the expediency and duty of abolishing it by constitutional means.

2d Resolution, "That the State of Virginia has a right to claim prompt and efficient legislation by her co-states to restrain, as far as may be, and to punish those of her citizens who, in defiance of their social duty and that of the constitution, assail her safety and tranquility, by forming associations for the abolition of slavery, printing, publishing, and circulating seditious or incendiary publications, designed, calculated or having a tendency, to operate on her population; and that this right, founded on international law, is peculiarly fortified by a just consideration of the intimate and sacred relations which exist between the States of this Union."

The 5th Resolution asserts "That Congress has no power to abolish slavery in the District of Columbia, or the territories of the United States."

The 6th declares "That this General Assembly would regard any act of Congress, having for its object the abolition of slavery in the District of Columbia or the territories of the United States, as affording just cause of alarm to the slaveholding states, and bringing the Union into imminent peril."

The committee are compelled, by a sense of duty which they owe to Pennsylvania as a sovereign and independent state, and to themselves, as freemen to deny the right of Virginia, or any other State, to claim from us any legislation of the character referred to in these resolutions. Every citizen of the non-slaveholding States has a right freely to think and publish his thoughts on any subject of national or state policy. Nor can he be compelled to confine his remarks to such subjects as affect only the state in which he resides. Without regard to the place of his residence, he may attempt to show that the usury laws of New York or Pennsylvania, or the laws regulating negro slavery in Virginia and Mississippi are immoral and unjust, and injurious to the prosperity and happiness of the respective States; his arguments may be weak, foolish and false, but it would be tyranny to prohibit their promulgation. Could any other state maintain the right to claim from us such legislation, we and our citizens would be reduced to a vassalage but little less degrading than that of the slaves whose condition we assert the right to discuss. Nor can we yield our assent to the opinion that Congress does not possess the right to abolish Slavery within the District of Columbia and the territories of the United States. But the unrestrained right to legislate for them is expressly granted.

Possessing such right, it would seem to be a reproach upon our national legislature not to have exercised it heretofore. Slavery not only exists in the district over which Congress has exclusive jurisdiction, but it is understood to be an extensive market for the sale of slaves. To witness droves of human beings bound together with iron fetters, and lashed forward to hopeless servitude, by freemen, descending loudly and boastfully on the blessings of liberty, is a moral anomaly, which bids to shock only because of its familiarity.

The committee forbear to notice those parts of the resolutions which seem to imply a menace, if the non-slaveholding states should not comply with the wishes of the slaveholding States, on this subject. As it can hardly be believed that they were intended to bear such construction, the Committee report the following resolutions:

Resolved, That the slave holding States alone have the right to regulate and control domestic slavery within their limits.

Resolved, That Congress does possess the constitutional power, and it is expedient to abolish slavery and the slave trade within the District of Columbia.

From the New York Star.

GENERAL HARRISON.

Extract of a Letter from Cincinnati.

"I was walking on the levee a few mornings since surveying the busy crowd—the fleet of steamers—admiring the bold sweep of the Ohio, and wondering when it would be spanned by a Westminster or Blackfriars—and how many years would elapse before the finely wooded hills around the Queen City of the West, would be dotted with white villas, when the exclamation, 'there's General Harrison!' struck my ears. Turning, I saw a gentleman wrapped in a brown camlet cloak, a broad brimmed white hat, much worn, encircled by a crape, and good stout serviceable boots. His hands were carried behind him as he walked slowly along; now pausing to watch the progress of some steamer passing up the river; bowing occasionally with courtesy and dignity to his fellow citizens who passed him, by whom, as he resides most of the time in the city, he seemed to be generally known, and, as I am told, universally esteemed."

So prominent an individual in the public eye, I of course observed with some attention. His height is about five feet nine inches, which is lessened by a habit of slightly inclining his body forward as he walks, as if in thought.

He had all the appearance of a hale and healthy gentleman, in the autumn of life. His face was strongly marked with the deep lines peculiar to men exposed for years to the hardships of military life. His complexion is browned, his features strong, but not handsome. His nose is heavy and irregular—his lips square and fleshy, and when in repose, expressive of decision, which from the fire of his eye, which is large, black, and penetrating, when fixed full upon the individual he is addressing, must constitute the basis of his character. His appearance is by no means striking, as he moves unassumingly about the streets, mingling with his fellow-townsmen; but when aware who he is, his face is one which you will decide as remarkable for its intelligence, and belonging to no common man.

I have since called upon him with a Boston friend. He lodges at a second rate hotel, chosen for its contiguity to the Court House, where his duties as clerk of the Court, an office he has held many years, employ most of his time.

His residence is on the right bank of the Ohio, twenty miles below the city, on an extensive farm called 'North Bend,' from the noble curve of the river which here sweeps around it. The house is very plain, two stories, and painted white, with wings. It fronts the river, and is visible to all passing by in steamers.

The room in his hotel to which we were ushered was like all else associated with this distinguished man, characterized by its plain and republican simplicity. A small bedroom in the third story, served him as a drawing room, parlor and sleeping room. It contained a curtained bed, a few chairs, a small light stand before the fire, upon which were a few segars, an old candlestick, a copy of Byron and some loose papers. His son, who is assistant in the clerk's office, rose to receive us. Gen Harrison was out when we called. We left our cards and took leave.

The next day he called on us at the hotel and passed half an hour in our room with us. He was very social, and related to us the story of his pioneer visit to the West, and some of his adventures. He told several anecdotes with much humor. He left us with favorable impressions of his intelligence, amiability, and sterling common sense. In his manners he is polished and courteous-like; affable and agreeable in the private circle; dignified and commanding respect in the world. When in conversation, his large clear dark eyes sparkle with animation, and the play of his mouth is most strikingly expressive of his feelings."

From the U. S. Gazette.

THE NAVY OF THE U. STATES.

In looking through our file of London papers, we find that our Navy attracts considerable attention in the that quarter, and in Europe generally. We hope that its advancement and usefulness will receive the especial care and watchfulness of our government, that it may keep pace with the improvement of the times until it attains the highest state of efficiency. It is admitted on all sides, by every class of our citizens, that it is the right arm of our republic. All Europe begin to think so, and they are watching its progress with an evil eye. A London paper says—"Their (U. States) navy is composed of 12 Ships of the line, carrying in all 838 guns. 14 Frigates, first rate 616 do. 4 do second rate, 116 do. 15 Sloops of war, 282 do. 8 Schooners, 75 do."

The superior officers in active service, consist of 37 Post Captains and Commanders, 40 commanders, and 275 Lieutenants. The navy Budget amounts annually to 4,000,000 dollars, or less than one million sterling. But in case of war or any affair of urgency, the government could in a few months, prepare and equip without difficulty, twenty first class ships of war additional, the skeletons as we may say, of which already exist, with abundance of stores of the best material, and munitions of war in the several arsenals in the Union—perhaps the best kept and best furnished in the world. When it is recollected that the national debt of a republic, which in 1810 amounted to 127,335,000 dollars, was in 1834 all paid off and extinguished, and that an excess of receipt above expenditure of some 7 or 8 millions of dollars now annually enriches the national treasury without appropriation by Congress, with every prospect of accumulations still more prodigious,

it will be comprehended that no difficulty need be experienced in giving to the navy, which there is the favorite and natural arm of strength, all the immense development of which it is susceptible. Whilst in the case of war, a commercial marine employing upwards of one million and a half of tonnage, would furnish an inexhaustible supply of well trained seamen for any possible number of war vessels, which it might be desirable to launch and man."

From the Boston Advocate.

Great Britain, in her reformed Government, is first outstripping us in the fundamental principles of liberty, for which our fathers left that country and came to this. Her statesmen are more honest and less selfish than ours. Their minds are open to conviction, and they are neither ashamed to be convinced, nor afraid to act rightly, when they are convinced.

Take a single example—the question of Freemasonry and Secret Societies. Here we have been fighting on this question for eight years, our public men holding back and sneaking away from responsibility, and even if we succeed in electing a Governor on the professed principles of antismasonry, he has not the moral courage or the consistency to refuse to appoint adhering masons to office.

What was done in England? A committee on Secret Societies was appointed, who sat three months, and made a report. Mr Hume got up in the House of Commons, where the subject was scarcely known, and where he was likely to be regarded as a visionary, in the midst of the high dignitaries of the Lodge, and in one speech he settled the whole question. The whole Commons yielded to the force of truth, and without division, the King was called upon to exclude from office every member of a Secret Society. The ministers all came into the measure. The King responded to the call, abolishing all secret Societies, and in three or four months after the first agitation of the question, we find the Prime Minister declaring, that no member of a secret society shall hold any office under government—and the Commander-in-chief of the army, the Lords of the Treasury, the Postmaster General, and other departments calling upon their subordinates either to renounce masonry, or retire from their offices. Even the masons have been compelled to yield, and the Grand Master, though a Prince Royal and brother of the King, is obliged to call upon the Lodges, to disband. In five months secret societies have been utterly abolished.

This is the way that the force of truth, and the love of liberty and equal rights, prevail in England. The contrast is dishonorable to this boasted land of liberty.

EXTRACT FROM WASHINGTON'S WILL.

Upon the decease of my wife, it is my will and desire that all my slaves, which I hold in my own right, shall receive their freedom. To emancipate them during her life would, though earnestly wished, be attended with such insuperable difficulties, on account of their intermixture by marriages with the dower negroes, as to create the most fearful sensation, if not disagreeable consequences from the latter, while both descriptions are in the occupancy of the same proprietor; it not being in my power under the tenure by which the dower negroes are held to manumit them. And, whereas, among those who will receive their freedom according to this clause, there may be some who from old age, or bodily infirmities, and others who, on account of their infancy will be unable to support themselves, it is my will and desire that all who come under the first and second descriptions shall be comfortably clothed and fed by my heirs while they live; and that such of the latter description as have no parents living, or if living are unable or unwilling to provide for them, shall be bound by the Court until they shall arrive at the age of 25 years; and in case where no record can be produced whereby their ages can be ascertained, the judgment of the Court upon its own view of the subject shall be adequate and final. The negroes thus bound are by their masters and mistresses to be taught to read and write, and to be brought up to some useful occupation, agreeably to the laws of the commonwealth of Virginia, providing for the support of orphans and other poor children—And I do hereby expressly forbid the sale or transportation out of the said commonwealth, of any slave I may be possessed of, under any pretence whatever. And I do moreover, most pointedly, and most solemnly enjoin it upon my executors hereafter named, or the survivor of them, to see that this clause respecting slaves, and every part thereof be religiously fulfilled, at the epoch at which it is directed to take place, without evasion, neglect, or delay, after the crops which may then be on the ground are harvested. Particularly as it respects the aged and infirm, seeing that a regular and permanent fund be established for their support, as long as there are subjects requiring it, not trusting to the uncertain provisions to be made by individuals. And to my grandson William, (calling himself William Lee,) I give immediate freedom, or if he should prefer it on account of the accidents which have befallen him, and which have rendered him incapable of walking, or of any active employment, to remain in the situation he now is, it shall be optional in him to do so—in either case, however, I allow him an annuity of \$30 during his natural life, which shall be independent of the victuals and clothes he has been accustomed to receive, if he chooses the last alternative, but in full with his freedom if he prefers the first. And this I give him as a testimony of my sense of his attachment to me, and for his faithful services during the revolutionary war.